

**MINUTES OF THE CITY-COUNTY COUNCIL  
AND  
SPECIAL SERVICE DISTRICT COUNCILS  
OF  
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS  
MONDAY, NOVEMBER 21, 2005**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:09 p.m. on Monday, November 21, 2005, with President Talley presiding.

Councillor Schneider led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

**ROLL CALL**

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

*29 PRESENT: Abdullah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty, Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley*

A quorum of twenty-nine members being present, the President called the meeting to order.

**OFFICIAL COMMUNICATIONS**

President Talley made the following remarks:

Tonight we will consider three proposals that reflect on how well we are caring for our children in our great city and county. Unfortunately, three of the proposals will affect our property tax rates over the next two to five years and, as to Proposal No. 593, 2005, we are not able to tell our constituents how or even where the monies will be spent. Proposal Nos. 593 and 615, 2005 are the clearest examples of taxation without representation that we, as a Council, can expect to ever see.

The memorandum of understanding that is funded by Proposal No. 615, 2005 represents one person's determination of how many, which of and when our children would be incarcerated at the Department of Correction. One man decided that so many of our children were beyond rehabilitation and deserved the harsh punishment of incarceration at either the Boys School or the Girls School. That judge's decisions have us, tonight, attempting to fashion a way to repay some

\$68 million to the State. Those \$68 million will not be spent in Marion County, and it is hard for me to feel that those dollars make us a stronger, healthier, more nurturing place to raise our children. The courts of appeal often reversed the findings of our juvenile court judge over the years because the court had not adequately considered factors or the circumstances surrounding the behavior of the child, such as a child's mental capacity, before imposing the harshest punishment of incarceration at DOC. As a side note, \$68 million would pay for about 1,400 students' four-year education at IUPUI.

And just as depressing is the nearly \$60 million we have to provide for the Marion County Office of Family and Children for this year and next year. As to Proposal No. 593, 2005, we turned down the initial request of the County Office in September for \$15.6 million. The Department of Child Services appealed this Council's decision to the DLGF who mandated Marion County, by this Council, to either reduce all other budgets or borrow the money. The bond bank came to the immediate aid of the families and children dependent on the Office of Family and Children, and we must now ratify that action.

Proposal No. 594, 2005, which was postponed in committee tonight, also seeks money for the Office of Family and Children for next year. Ladies and gentlemen, we do not have any say in how the money that Marion County taxpayers turn over to this agency is spent.

We have to establish and fashion our own alternatives to both Juvenile incarceration and the causes that contribute to delinquency. Our tool for self help is the Early Intervention Planning Council ordinance that we passed this year. The ordinance calls for the establishment of a council that will look at family causes for juvenile delinquency and truancy and take into account mental health challenges of the child and the child's family. Through the establishment of this council, it is my belief that we can maximize the taxpayers' dollars that go to make up the childrens' fund, the childrens' psychiatric fund, social security benefits, and medicare. We enjoy a great reception from our current court leadership and our new juvenile court judge and with the help of the public academia committee we hope to begin the process of saving our children and our taxpayers next year.

I am thankful to members of the public academia partnership and to Councillor Boyd and Vice President Sanders for their leadership. Over the coming years, we hope to see a reduction in CHINs cases, truancy cases, and termination of parental rights cases. We will do what is right and necessary for our children.

But for now, I seek and urge your support on the three matters that we will consider tonight. Thank you.

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, November 21, 2005, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,  
s/Steve Talley  
President, City-County Council

November 9, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* and in the *Indianapolis Star* on Friday, November 11, 2005, a copy of a Notice of Public Hearing on Proposal

November 21, 2005

Nos. 591, 593 and 594, 2005, said hearing to be held on Monday, November 21, 2005, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Jean Ann Milharcic  
Clerk of the City-County Council

November 10, 2005

TO PRESIDENT TALLEY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in *NUVO Weekly* and in the *Indianapolis Star* on Friday, November 11, 2005, a copy of a Notice of Public Hearing on Proposal No. 615, 2005, said hearing to be held on Monday, November 21, 2005, at 7:00 p.m. in the City-County Building.

Respectfully,  
s/Jean Ann Milharcic  
Clerk of the City-County Council

### **ADOPTION OF THE AGENDA**

The President proposed the adoption of the agenda as distributed.

Councillor Schneider stated that Proposal No. 622, 2005 was not on the special meeting notice that Councillors received previously. President Talley stated that Proposal No. 622, 2005 is only being introduced this evening and therefore requires no action.

Without further objection, the agenda was adopted.

### **PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS**

PROPOSAL NO. 593, 2005. Councillor Bowes reported that the Community Affairs Committee heard Proposal No. 593, 2005 earlier this evening. The proposal, sponsored by Councillors Sanders, Talley, Gray and Bowes, approves the issuance of Family and Children Fund General Obligation Notes in an original aggregate principal amount not to exceed \$17 million and appropriates the proceeds of the borrowing. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Bowes moved, seconded by Councillor Gibson, for adoption.

Councillor Borst asked why the proposal was not introduced weeks ago if it is so time sensitive and if the rate will be fixed for the next two years. He asked why fund balance of the Consolidated County Fund is not considered to be used instead. Councillor Bowes said that this proposal has been considered since the recommendation was made, and no Councillor introduced a proposal to borrow money. He said that all Councillors voted to reject borrowing that money. He said that there was no discussion regarding using fund balance as an option in Committee. Kobi Wright, Corporation Counsel, stated that the funding negotiations have not been completed and he is not sure of the rate yet. Robert Clifford, City Controller, added that the Consolidated County Fund funds the police service districts and taking \$16 million out of that account would not be feasible.

Councillor Franklin asked if this deficit has accumulated over the past few years. Councillor Bowes stated that the state runs this program and local government has no say over the program and must pay by law. Councillor Franklin asked how long this program has run at a deficit.

Councillor Gibson said that children are always in need of services and funding for this office has been a problem for many years.

Councillor Borst said that the Welfare Fund has just been in trouble this year and the next proposal is where there has been a problem for years.

Councillor Bradford said that the last two budget years, the office has asked for an increase, and the Council would not approve it.

Councillor Cain added that the number of children who need services has also increased.

Councillor Plowman asked if there will be another tax increase next year if the courts mandate the same. Mr. Clifford said that this is a one-time event.

Proposal No. 593, 2005 was adopted on the following roll call vote; viz:

*22 YEAS: Abdullah, Borst, Bowes, Boyd, Brown, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Sanders, Talley*  
*7 NAYS: Bradford, Cain, Cockrum, Randolph, Salisbury, Schneider, Speedy*

Proposal No. 593, 2005 was retitled SPECIAL RESOLUTION NO. 84, 2005, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 84, 2005

A SPECIAL RESOLUTION approving the issuance of "Marion County, Indiana, Family and Children Fund General Obligation Notes, Series 2005" in an original aggregate principal amount not to exceed Seventeen Million Dollars (\$17,000,000) in accordance with IC 12-19 and IC 5-1.4-8-6, as amended, and appropriating the proceeds of the borrowing.

WHEREAS, the Marion County Director of the Office of Family and Children (the "County Director") has determined that the Family and Children Fund of Marion County, Indiana (the "Fund"), will face a deficit of approximately \$15,600,000 as of December 31, 2005; and

WHEREAS, the Department of Child Services certified the estimate and filed it with the Executive of Marion County, Indiana (the "County Executive"), the Auditor of Marion County, Indiana and the State Department of Local Government Finance; and

WHEREAS, on or about September 19, 2005, the City County Council of the City of Indianapolis and of Marion County, Indiana (the "Council"), and the County Executive rejected a resolution under Indiana Code § 12-19-7-16(b), as amended, to borrow sufficient money to carry out the purposes of Indiana Code § 12-19-7-15, as amended; and

WHEREAS, the Department of Child Services appealed to the State Department of Local Government Finance under Indiana Code § 12-19-7-16(c), as amended; and

WHEREAS, the State Department of Local Government Finance held a hearing on October 14, 2005, (i) to determine if there were insufficient monies in the Fund to carry out the purposes of Indiana Code § 12-19-7-15, as amended, and (ii) if such insufficiency is found to require Marion County, Indiana (the "County"), to either reduce its general fund budget and transfer sufficient money to the Fund or borrow money for the Fund to carry out the purposes of Indiana Code § 12-19-7-15, as amended; and

WHEREAS, on November 2, 2005, the State Department of Local Government Finance issued its order (i) finding that there would not be sufficient money in the Fund to carry out the purposes of Indiana Code § 12-19-7-15, as amended, and (ii) mandating the County to eliminate the anticipated shortfall in the Fund for 2005 in an amount equal to \$15,600,000 by either (a) reducing the County's general fund budget and transfer sufficient money to the Fund, or (b) borrow money for the Fund to carry out the purposes of Indiana Code § 12-19-7-15, as amended; and

*November 21, 2005*

WHEREAS, the Council hereby finds and determines that it will be necessary for the County to borrow an amount not to exceed Seventeen Million Dollars (\$17,000,000) from The Indianapolis Local Public Improvement Bond Bank (the "Bond Bank") and to issue general obligation notes of the County in accordance with Indiana Code § 5-1.4-8-6, and Indiana Code § 12-19-7, each as amended, in the aggregate principal amount not to exceed Seventeen Million Dollars (\$17,000,000) (the "Notes"), in order to eliminate the anticipated shortfall in the Fund during the fiscal year ending December 31, 2005, to pay for all expenses related thereto, to pay for all or a portion of the interest on the Notes, as it comes due, and to pay for all of the costs of issuance of the Notes (the "Project"); and

WHEREAS, the Council hereby finds and determines that the County will not have sufficient moneys available or provided for in the existing budgets and tax levies which may be applied to pay for the Project, making it a necessity for the making of the additional appropriation hereinafter set out; and

WHEREAS, notice of a public hearing on such additional appropriation has been duly given by publication as required by law, and the hearing on said additional appropriation has been held, at which all taxpayers had an opportunity to appear and express their views as to such additional appropriation; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

The County is hereby authorized and directed to borrow an amount not to exceed Seventeen Million Dollars (\$17,000,000) from the Bond Bank to pay for the Project, including any expenses of the Project incurred by the Bond Bank prior to the issuance of the Notes. In order to procure this loan, the County Executive is hereby authorized and directed to have prepared and to issue and sell to the Bond Bank negotiable general obligation notes of the County, to be designated as "Marion County, Indiana, Family and Children Fund General Obligation Notes, Series 2005," in the aggregate principal amount not to exceed Seventeen Million Dollars (\$17,000,000) (the "Notes"). Principal and interest on the Notes shall be paid from ad valorem property taxes levied and collected by the County and is anticipated to require a tax rate levy increase not to exceed \$0.0424089 per \$100 of assessed value for 2006. The Notes shall be issued in fully registered form in the denomination of One Hundred Thousand Dollars (\$100,000) or any integral multiple of Five-Thousand Dollars (\$5,000) in excess of One Hundred Thousand Dollars (\$100,000), and maturing in the amounts and on the dates determined by the Controller of the City of Indianapolis, Indiana, as the Director of the Office of Finance and Management of the County (the "Director of the OFC"), the County Executive, and the Bond Bank; provided, however, the Notes shall have a final maturity which is no later than December 31, 2007; provided, further, however, at or after the date such Notes are issued, the Director of the OFC and the County Executive may extend the final maturity of the Notes to a date which is no later than December 31, 2010, if the Director of the OFC and the County Executive determine extension of the final maturity is necessary or desirable. The Notes may be subject to optional redemption prior to final maturity in accordance with the terms and conditions identified in the Qualified Entity Purchase Agreement (as hereinafter defined). The Notes shall bear a maximum interest rate not exceeding eight percent per annum (8.00%) (such rate to be determined pursuant to negotiations with the Bond Bank), and will be purchased by the Bond Bank for a discount not greater than one percent (1.00%); provided such discount shall not take into account any costs of the Project paid by the Bond Bank prior to the issuance of the Notes and any costs related to the issuance of the Notes paid by the Bond Bank. The Notes will be issued to the Bond Bank pursuant to the Qualified Entity Purchase Agreement and be subject to the provisions set forth in this resolution and such additional terms and conditions as agreed to by the the County Executive, the Director of the OFC, the Chair of the Bond Bank and the Executive Director of the Bond Bank and set forth in the Qualified Entity Purchase Agreement.

A qualified entity purchase agreement in form and substance acceptable to the County Executive and the Director of the OFC (the "Qualified Entity Purchase Agreement"), be, and hereby is, approved, and the County Executive and the Director of the OFC are hereby authorized and directed to execute and deliver the Qualified Entity Purchase Agreement in form and substance acceptable to them and consistent with the terms and conditions set forth in this ordinance.

If, when the Notes or any portion thereof shall have become due and payable in accordance with their terms and the whole amount of the principal and interest so due and payable upon the Notes or such portion thereof then outstanding shall be paid, or (1) sufficient moneys, or (ii) direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, the principal of and the interest on which when due will provide sufficient moneys for such purpose, or (iii) time certificates of deposit of a bank or banks, fully secured as to both principal and interest by obligations of the kind described in clause (ii) above, the principal of and interest on which when due will provide sufficient moneys for such purpose, shall be held in trust for such purpose, then

and in such event the Notes or such portion thereof shall no longer be deemed outstanding or an indebtedness of the County.

In order to preserve the exclusion from gross income of interest on the Notes under federal law, the County represents, covenants and agrees that, to the extent necessary to preserve such exclusion:

No person or entity or any combination thereof, other than the County or any other governmental unit ("Governmental Unit") within the meaning of Section 141(b)(6) and Section 150(a)(2) of the Internal Revenue Code of 1986, as amended and as in effect on the date of delivery of the Notes (the "Code"), will use any proceeds of the Notes or property financed by such proceeds other than as a member of the general public; and no person or entity or any combination thereof other than the County or any other Governmental Unit will own any property financed out of the proceeds of the Notes or will have actual or beneficial use of such property pursuant to a lease, a management or incentive payment contract, an arrangement such as a take-or-pay or other type of output contract or any other type of arrangement that differentiates that person's or entity's use of such property from the use of such property by the public at large;

No Note proceeds will be lent to any entity or person; and no Note proceeds will be transferred directly or indirectly or deemed transferred to a person other than a Governmental Unit in a fashion that would in substance constitute a loan of such Note proceeds;

The County will not take any action or fail to take any action with respect to the Notes that would result in the loss of the exclusion from gross income for federal income tax purposes of interest on the Notes pursuant to Section 103(a) of the Code, and the Council will not act or permit any actions by officers or officials of the County that would in any manner adversely affect such exclusion; the County further covenants that it will not make any investment or do any other act or thing during the period that any Note is outstanding hereunder which would cause any Note to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations applicable thereto as in effect on the date of delivery of the Notes; and the County shall comply with the arbitrage rebate requirements under Section 148 of the Code to the extent applicable;

All officers, employees and agents of the County are hereby authorized and directed to provide certifications of facts and estimates that are material to the reasonable expectations of the County as of the date that the Notes are issued, and to make covenants on behalf of the County evidencing the County's commitments made herein and, in particular, any and all appropriate officers, employees and agents of the County are authorized to certify and/or enter into covenants for the County regarding (i) the facts and circumstances and reasonable expectations of the County on the date that the Notes are issued and (ii) the representations and covenants made herein by the County regarding the amount and use of the proceeds of the Notes; and

The County is hereby authorized and directed to employ consultants and attorneys from time to time to advise the County with respect to the requirements under federal law for the continuing preservation of the exclusion of interest on the Notes from gross income for purposes of federal income taxation.

Notwithstanding any other provision of this Resolution, any of the covenants and authorizations contained in this Resolution (the "Tax Sections") which are designed to preserve the exclusion of interest on the Notes from gross income for purposes of federal income taxation (the "Tax Exemption") need not be complied with if the County receives an opinion of nationally recognized bond counsel that compliance with such Tax Section is unnecessary to preserve the Tax Exemption.

The proceeds from the sale of the Notes together with interest earnings thereon, in the amount not to exceed Seventeen Million Dollars (\$17,000,000), are hereby appropriated in the Fund to pay for the Project. A certified copy of this Resolution, together with such actions and other proceedings as may be necessary, shall be filed by the Director of the OFC, along with the proper report to the State Department of Local Government Finance.

The County Executive, the Director of the OFC and any other officer of the County are hereby authorized and directed, in the name and on behalf of the County, to execute and deliver such documents and to take such actions as such person deems necessary or desirable to effect the purposes of this Resolution, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

SECTION 8. This Ordinance shall be in full force an effect upon adoption and compliance with Indiana Code §§ 36-3-4-14, 36-3-4-15, 36-3-4-16 and 36-3-4-17, each as amended.

### **SPECIAL ORDERS - PUBLIC HEARING**

PROPOSAL NO. 591, 2005. The proposal, sponsored by Councillors Bowes and Talley, approves an appropriation totaling \$860,622 in the 2005 budget of the Marion County Office of the Indiana Department of Child Services (Family and Children's Fund) to enhance local prevention programs, specifically the Neighborhood Alliance for Child Safety, financed by \$700,000 of additional state grant funds, and to pay interest on tax anticipation warrants, financed by fund balance. PROPOSAL NO. 594, 2005. The proposal, sponsored by Councillors Sanders and Talley, approves temporary tax anticipation borrowing in the County General Fund and the County Family and Children's Fund in anticipation of taxes levied in 2005, collectible in 2006. Councillor Bowes reported that the Community Affairs Committee met earlier this evening and postponed both of these items until their November 28, 2005 meeting. He said that they therefore have not been reported to the full Council for action this evening.

### **SPECIAL ORDERS – FINAL ADOPTION**

PROPOSAL NO. 615, 2005. Councillor Bowes reported that the Community Affairs Committee heard Proposal No. 615, 2005 earlier this evening. The proposal, sponsored by Councillors Talley and Bowes, amends the City-County Annual Budget for 2006 to create the Marion County Juvenile Incarceration Debt Service Fund and thereby give effect to the Memorandum of Understanding between State of Indiana Budget Agency, the State of Indiana Department of Local Government Finance, the Auditor of the State of Indiana, the Treasurer of the State of Indiana, the State of Indiana Department of Correction, and the Consolidated City of Indianapolis and Marion County. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Franklin asked when the County stopped paying this debt. Councillor Sanders said that they stopped paying on time in 1996, and have not paid since 2004.

Councillor Borst said that the payments have not been stopped, but have been delayed and something has been paid every year, but there is still a \$64 million debt left in arrears. He asked what will change with passage of this proposal. Mr. Clifford stated that the rate will decrease as the debt is paid back.

Councillor Nytes asked Councillors to support measures to reduce the need to send juveniles to DOC and said that they still will need to find a way to meet next year's bill.

Councillor Bowes moved, seconded by Councillor Gibson, for adoption. Proposal No. 615, 2005 was adopted on the following roll call vote; viz:

*19 YEAS: Abdullah, Bowes, Boyd, Brown, Conley, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Sanders, Talley*

*10 NAYS: Borst, Bradford, Cain, Cockrum, Day, Plowman, Randolph, Salisbury, Schneider, Speedy*

Proposal No. 615, 2005 was retitled FISCAL ORDINANCE NO. 163, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 163, 2005

PROPOSAL FOR A FISCAL ORDINANCE to amend the City-County Annual Budget for 2006 to create the Marion County Juvenile Incarceration Debt Service Fund and thereby give effect to the Memorandum of Understanding between State of Indiana Budget Agency, the State of Indiana Department of Local Government Finance, the Auditor of the State of Indiana, the Treasurer of the State of Indiana, the State of Indiana Department of Correction, and the Consolidated City of Indianapolis and Marion County.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE  
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Article One, Section 1.03, regarding the expenses of certain Constitutional Officers of Marion County government and its institutions, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

SECTION 1.03 For the expenses of certain Constitutional Officers of Marion County government and its institutions for the calendar year beginning January 1, 2006, and ending December 31, 2006, the sums of money set out in this section are hereby appropriated and ordered set apart out of the County General Fund, Property Reassessment Fund, County Recorder's Perpetuation Fund, Cumulative Capital Development Fund, Surveyor's Corner Perpetuation Fund, Local Emergency Planning and Right To Know Fund, Auditor's Endorsement Fee Fund Marion County Juvenile Incarceration Debt Service Fund, and Enhanced Access Fund for the purposes herein specified, subject to the laws governing the same. The sums so appropriated shall be held to include all such expenditures authorized to be made during said calendar year, unless otherwise expressly stipulated and provided by law.

	ORIGINAL PUBLISHED BUDGET APPROPRIATION	BUDGET APPROVED BY CITY-COUNTY COUNCIL
(a) COUNTY ADMINISTRATOR - Dept. 01	COUNTY GENERAL FUND	
1. Personal Services	0	0
2. Supplies	0	0
3. Other Services and Charges	1,145,339	1,145,339
4. Capital Outlay	0	0
TOTAL	1,145,339	1,145,339

(b) COUNTY AUDITOR - Dept. 02	COUNTY GENERAL FUND	
1. Personal Services	1,657,123	1,657,123
2. Supplies	14,353	14,353
3. Other Services and Charges	13,680,521	13,892,521
4. Capital Outlay	5,000	5,000
TOTAL	15,356,997	15,568,997

The Marion County Auditor's character 3 appropriations stated above include the following amounts which are restricted for the purposes stated below:

For the Marion County Fair Board - \$80,000

For the Marion County Soil and Water Conservation District - \$132,000

For the Noble Centers - \$1,000,000

For Mental Health Centers - \$3,828,023

COUNTY AUDITOR	PROPERTY REASSESSMENT FUND	
1. Personal Services	36,877	36,877
2. Supplies	1,000	1,000
3. Other Services and Charges	9,000	9,000
4. Capital Outlay	6,000	6,000
TOTAL	52,877	52,877



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COUNTY AUDITOR	AUDITOR'S ENDORSEMENT FEE FUND	
1. Personal Services	0	0
2. Supplies	0	0
3. Other Services and Charges	0	0
4. Capital Outlay	24,000	24,000
TOTAL	24,000	24,000

COUNTY AUDITOR	LOCAL EMERGENCY PLANNING AND RIGHT TO KNOW FUND	
1. Personal Services	0	0
2. Supplies	0	0
3. Other Services and Charges	32,000	32,000
4. Capital Outlay	0	0
TOTAL	32,000	32,000

COUNTY AUDITOR	MARION COUNTY JUVENILE INCARCERATION DEBT SERVICES FUND	
1. Personal Services		
2. Supplies		
3. Other Services and Charges		19,245,219
4. Capital Outlay		
TOTAL		19,245,219

The Marion County Auditor's character 3 appropriations stated above include the following amount which is restricted for the purpose stated below:

For the Marion County Juvenile Incarceration Debt Service Payment - \$19,245,219

(c) COUNTY COMMISSIONERS - Dept. 03	COUNTY GENERAL FUND	
1. Personal Services	21,654	21,654
2. Supplies	1,287	1,287
3. Other Services and Charges	3,016	3,016
4. Capital Outlay	0	0
TOTAL	25,957	25,957

(d) COUNTY CORONER - Dept. 07	COUNTY GENERAL FUND	
1. Personal Services	567,837	567,837
2. Supplies	29,950	29,950
3. Other Services and Charges	1,257,180	1,528,980
4. Capital Outlay	1,500	1,500
TOTAL	1,856,467	2,128,267

(e) COUNTY RECORDER	COUNTY RECORDER'S PERPETUATION FUND	
1. Personal Services	452,258	1,367,265
2. Supplies	21,007	43,802
3. Other Services and Charges	153,902	541,829
4. Capital Outlay	33,500	357,432
TOTAL	660,667	2,310,328

(f) COUNTY TREASURER - Dept. 09	COUNTY GENERAL FUND	
1. Personal Services	1,169,639	1,169,639
2. Supplies	9,270	13,952
3. Other Services and Charges	1,059,047	1,054,365
4. Capital Outlay	0	0
TOTAL	2,237,956	2,237,956

COUNTY TREASURER	ENHANCED ACCESS FUND	
1. Personal Services	0	0
2. Supplies	0	0
3. Other Services and Charges	150,000	150,000
4. Capital Outlay	0	0
<b>TOTAL</b>	<b>150,000</b>	<b>150,000</b>

(g) COUNTY SURVEYOR - Dept. 10	SURVEYOR'S CORNER PERPETUATION FUND	
1. Personal Services	452,258	33,966
2. Supplies	21,007	11,373
3. Other Services and Charges	153,902	28,623
4. Capital Outlay	33,500	12,239
<b>TOTAL</b>	<b>660,667</b>	<b>86,201</b>

COUNTY SURVEYOR - Dept. 10	COUNTY GENERAL FUND	
1. Personal Services		397,403
2. Supplies		1,127
3. Other Services and Charges		55,404
4. Capital Outlay		500
<b>TOTAL</b>		<b>454,434</b>

SECTION 2. Article Three, Section 3.02, of Fiscal Ordinance 115, 2005, hereby is amended by the addition of a NEW subsection (gg), to read as follows:

(gg) ESTIMATE OF FUNDS TO BE RAISED AND PROPOSED TAX RATES		
(e) MARION COUNTY JUVENILE INCARCERATION DEBT SERVICES FUND		
2006 NET ASSESSED VALUATION	\$ 40,288,435,046	
2005 BILLED NET ASSESSED VALUATION	\$ 39,630,633,113	
	PUBLISHED BUDGET	CITY-COUNTY COUNCIL
<b>FUNDS REQUIRED FOR REMAINDER OF FISCAL YEAR 2005</b>		
1. June 30 actual cash balance of present year		<b>0</b>
2. Necessary expenditures, July 1 to December 31 of present year, to be made from appropriation unexpended		<b>0</b>
3. Additional appropriations necessary to be made July 1 to December 31 of present year		<b>0</b>
4. Outstanding temporary loans to be paid and not included in lines 2 or 3		<b>0</b>
5. Total expenditures for current year (add lines 2-4)		<b>0</b>
6. Remaining property taxes to be collected present year		<b>0</b>
7. Miscellaneous revenue to be received July 1 through Dec. 31 of present year		<b>0</b>
8. Estimated revenue to be received July 1 to December 31 (add lines 6-7)		<b>0</b>
<b>9. Estimated December 31 cash balance, present year (add lines 1, 8 and subtract line 5)</b>		<b>0</b>
10. Total budget estimate for January 1 to December 31 of incoming year		<b>19,245,219</b>
11. Miscellaneous revenue for January 1 to December 31 of incoming year		<b>0</b>

12. Property tax to be raised from January 1 to December 31 of incoming year		<b>19,245,219</b>
13. Operating balance (not in excess of expenses January 1 to June 30, miscellaneous revenue for same period)		<b>0</b>
<b>14. Estimated December 31 cash balance, of incoming year</b>		<b>0</b>

<b>Net tax rate on each one hundred dollars of taxable property</b>		
<b>Current year tax rate</b>		<b>0.0000</b>
<b>Proposed tax rate for incoming year</b>		<b>0.0478</b>

SECTION 3. Article Seven, Section 7.02, of Fiscal Ordinance 115, 2005, regarding Tax Levies for Marion County Government for 2006, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

SECTION 7.02. Tax Levies for Marion County Government for 2006.

(a) COUNTY GENERAL FUND. For the use and benefit of the County General Fund, there is hereby levied and assessed in 2005, collectible in the year 2006, the sum of twenty-eight and twenty hundredths cents (\$0.2820) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the County General Fund in the County Treasury.

(b) MARION COUNTY CUMULATIVE CAPITAL DEVELOPMENT FUND. For the use and benefit of the Marion County Cumulative Capital Development Fund, there is hereby levied and assessed in 2005, collectible in the year 2006, the sum of one and twenty-nine hundredths cents (\$0.0129) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Marion County Cumulative Capital Development Fund in the County Treasury.

(c) PROPERTY REASSESSMENT FUND. For the use and benefit of the 2006 Reassessment Fund, there is hereby levied and assessed in 2005, collectible in the year 2006, the sum of thirty-seven hundredths cents (\$0.0037) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Property Reassessment Fund in the County Treasury.

(ed) CAPITAL LEASE FUND. For the use and benefit of the 2006 Capital Lease Fund, there is hereby levied and assessed in 2005, collectible in the year 2006, the sum of seven hundredths cents (\$0.007) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Capital Lease Fund in the County Treasury.

(e) MARION COUNTY JUVENILE INCARCERATION DEBT SERVICE FUND. For the use and benefit of the Marion County Juvenile Incarceration Debt Service Fund, there is hereby levied and assessed in 2005, collectible in the year 2006, the sum of four and seventy-eight hundredths cents (\$0.0478) on each one hundred dollars (\$100.00) of the assessed valuation of taxable property of said Marion County, which taxes, when collected, shall be paid into the Marion County Juvenile Incarceration Debt Service Fund in the County Treasury.

SECTION 4. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. This ordinance shall be in full force and effect beginning January 1, 2006, after passage by the City-County Council, approval by the Mayor, (or passage over his veto), and approval by the Indiana Department of Local Government Finance as required by law; except that, any part of this ordinance providing for the budget or appropriating money for an office or officer of the county provided for by the Constitution of Indiana or a judicial office or officer shall not be subject to the veto of the Mayor.



## **INTRODUCTION OF PROPOSALS**

PROPOSAL NO. 622, 2005. Introduced by Councillors Nytes, Keller, Boyd, Gray, Langsford, Mahern, Mansfield, Sanders, Bowes, Brown, Oliver and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code with respect to the Equal Opportunity Advisory Board and complaint adjudication"; and the President referred it to the Rules and Public Policy Committee.

## **ANNOUNCEMENTS AND ADJOURNMENT**

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Randolph in memory of Kathy Taylor and Richard F. Dennis; and
- (2) Councillor Mansfield in memory of Lance Corporal Scott Zubowski; and
- (3) Councillor Talley in memory of Robert Turner.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Kathy Taylor, Richard F. Dennis, Lance Corporal Scott Zubowski, and Robert Turner. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:12 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 21st day of November, 2005.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)